

JOSEPH DIGIROLAMO and GLORIA M. DIGIROLAMO, his wife,	:	IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
Plaintiffs,	:	CIVIL ACTION – LAW JURY TRIAL DEMANDED
v.	:	
CABOT OIL & GAS CORPORATION,	:	NO. 3:08-cv-833 FILED VIA ECF
Defendant.	:	(Honorable James M. Munley)

**JOINT STIPULATION REGARDING STAY OF LITIGATION**

Plaintiff(s) in the above-captioned matter, Defendant, Cabot Oil & Gas Corporation, and the parties' undersigned counsel, hereby jointly stipulate as follows:

1. Defendant timely removed the above-captioned action to this Court.
2. The action captioned *Kropa vs. Cabot Oil & Gas Corporation* and docketed at 3:08-cv-551, asserts the same or similar claims as the above-captioned action. Both *Kropa* and the above-captioned action have been assigned to the Honorable James M. Munley.

3. Plaintiffs intend to file a Motion to Amend their Complaint. Defendant does not object to the Plaintiffs filing an Amended Complaint.

4. In the *Kropa* action, Defendant has filed a Motion to Dismiss. Said motion has been briefed and, on June 3, 2008, the *Kropa* Plaintiffs filed an additional Brief in Opposition to the Motion to Dismiss. The parties agree that Defendant shall, within ten (10) days of the date of this Stipulation, file a Supplemental Brief in Support of its Motion to Dismiss addressing only the issues raised in the *Kropa* Plaintiffs' Brief of June 3, 2008. The *Kropa* matter will then be pending before the Court. Both parties agree that oral argument should be heard in *Kropa* following the filing of the aforementioned supplemental brief by Defendant.

5. The parties agree that the legal issues raised in the Motion to Dismiss and all related briefs filed in *Kropa* also apply to the above-captioned action, and the parties also agree that it is in the interest of all parties and the Court to stay any further filings or litigation in this matter pending resolution of the Motion to Dismiss filed in *Kropa*. This stay shall specifically not apply to the filing of a Motion to Amend the Complaint or the filing of an Amended Complaint in this action.

6. The parties further agree to treat this case as though Cabot filed a motion to dismiss and briefs raising the same issues as were raised

or will be raised in *Kropa* and as though the plaintiff(s) in this case filed a response and brief raising the same issues raised in the responses which were filed or will be filed in *Kropa*. Cabot's Motion to Dismiss and all briefs shall be deemed to have been filed in response to any Amended Complaint filed by Plaintiffs in this matter.

6. The parties agree that nothing in this stipulation will be seen to waive any objections, claims or defenses the parties could otherwise raise if there had been full briefing in this case on a motion to dismiss.

**WHEREFORE**, for all or any of the foregoing reasons, the parties respectfully request that this Court approve this Joint Stipulation and that the above-captioned action be stayed pending further order of Court.

Dated: June 10, 2008

Respectfully submitted,

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SO APPROVED:

Honorable James M. Munley

6/10/08